

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

JEFF HOLT & wife MELISSA HOLT,)	
)	
Plaintiffs,)	
)	
v.)	NO.
)	
STATE FARM FIRE AND CASUALTY)	
COMPANY)	
)	
Defendant.)	

NOTICE OF REMOVAL

Defendant, State Farm Fire and Casualty Company (“State Farm”), pursuant to 28 U.S.C. §§ 1441 and 1446, hereby gives notice that it is removing this civil action from the Chancery Court for Roane County, Tennessee to the United States District Court for the Eastern District of Tennessee at Knoxville.

1. On October 17, 2013, Plaintiffs Jeff Holt & Melissa Holt commenced this civil action against Defendant State Farm in the Chancery Court for Roane County, Tennessee, Case No. 2013-211. The Complaint and Summons were served upon State Farm on or about February 26, 2014. Attached hereto is as **Exhibit A** is a copy of the Complaint which represents the entire contents of the state court file. The service of summons and Complaint is the first notice State Farm received regarding the commencement of this action.

2. Upon information and belief, Plaintiffs are Tennessee residents. Plaintiffs further allege damages for property damage and fire loss to its property located on Hall Road in Roane County, Tennessee. Plaintiffs further allege that State Farm acted in bad faith and requests recovery of bad faith damages.

3. Plaintiffs' Complaint requests damages in amount not less than \$286,290.75, along with Plaintiffs' alleged statutory bad faith penalty of 25%.

4. State Farm is a corporation organized and existing under the laws of Illinois with its principal place of business in the State of Illinois.

5. This Court has jurisdiction over the claims in the Complaint pursuant to 28 U.S.C. 1332 (diversity) because there is complete diversity between the Plaintiffs and the Defendants.

6. This notice of removal is being filed within thirty days of February 26, 2014, the date on which the Summons and Complaint were first served on State Farm. Thus, this notice of removal is filed within thirty days after State Farm first received a copy of the initial pleading setting forth the claims for relief.

7. Pursuant to 28 U.S.C. § 1446(d), defendant will promptly give notice of this notice of removal to the Clerk & Master of Roane County Chancery Court and to counsel for Plaintiffs in the state court proceeding. The giving of such notice will effect this removal pursuant to 28 U.S.C. § 1446(b). A copy of the state court notice is attached as **Exhibit B**.

8. By removing this action, State Farm does not waive any defenses available to it in federal or state court and expressly reserves the right to assert all such defenses in its responsive pleading.

WHEREFORE, State Farm requests that further proceedings of the Roane County Chancery Court be discontinued and that this action be removed in its entirety to the United States District Court for the Eastern District of Tennessee at Knoxville.

Respectfully submitted this 11th day of March, 2014.

PAINE, TARWATER, and BICKERS, LLP

/s/ Matthew J. Evans

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Katherine S. Goodner (BPR # 030499)
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing has been properly served via U.S. Mail, postage prepaid, upon the following:

A. Wayne Henry
407 Grove Street
P.O. Box 366
Loudon, TN 37774

This the 11th day of March, 2014.

/s/ Matthew J. Evans